

## LEGISLATIVE AUDIT DIVISION

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January 12, 2007

Senator Dan McGee  
Montana Senate  
PO Box 200500  
Helena MT 59620-0500

Dear Senator McGee:

Attached are 14 copies of the performance audit of the Juvenile Delinquency Intervention Program (JDIP) issued in December 2005 that you recently requested for the Senate Judiciary Committee.

As I explained to you after the hearing on Senate Bill 146, our performance audit report had six recommendations to improve/enhance JDIP. One of the recommendations was to establish and implement performance measures for youth court programs and services funded through JDIP. As well, we recommended there should be baseline data collected for effective comparison and monitoring of JDIP activities. These recommendations were directed at the Department of Corrections in the audit report, however with the introduction of SB 146, they would become applicable to the Office of Court Administrator.

In response to the above recommendations, SB 146 states \$25,000 of JDIP funds will be transferred to the Office of Court Administrator for evaluations of placements, programs, and services (page 9, line 21). Secondly, SB 146 states each fiscal year, the Office of Court Administrator shall select out-of-home placements, programs, and services to be evaluated for their effectiveness in achieving program purposes (page 20, line 2). The Cost Containment Review Panel is to provide recommendations to the Court Administrator on district court programs to be evaluated. However, before conducting any evaluation, the Office of Court Administrator must obtain approval from the District Court Council. The District Court Council is to develop guidelines, subject to the review of the Supreme Court, for evaluating out-of-home placements, programs, and services as well as for monitoring youth courts consistency and uniformity in juvenile placements.

The Department of Corrections has informally sought the Legislative Audit Division's comments on SB 146 and we have provided input and offered "encouragement" that the proposed legislation include specifics regarding establishment, implementation, and monitoring of performance measures for youth courts receiving JDIP funds. It would be our opinion that while the appropriated evaluation funds to the Office of Court Administrator and the evaluation language

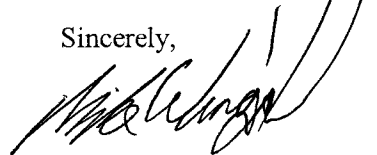
may establish performance measures and monitoring efforts, the actual language in SB 146 lacks specificity on various issues including;

- Type of performance measures to be established.
- The breadth of the annual monitoring efforts among the 22 judicial districts.
- The implementation of a comprehensive performance monitoring system given the required need for the District Court Council and Supreme Court's involvement in the development of evaluation guidelines and overall approval for evaluations to be conducted.

Should the committee deem it appropriate, they may want to ask the Office of Court Administrator's Office to provide specific details regarding how they envision the monitoring and evaluation of youth court JDIP activities to proceed. The Senate Judiciary Committee may also deem it appropriate to request amendments to SB 146 to better assure a comprehensive performance measurement system is established for the expenditure of JDIP funds.

Please feel free to call me (444-3122) should you or other members of the Senate Judiciary Committee have any questions regarding the contents of this letter or regarding the JDIP performance audit.

Sincerely,



Mike Wingard  
Performance Audit Manager

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Enclosures (14)

cc: Members, Senate Judiciary Committee  
Lois Menzies, Administrator, Office of Court Administration  
Mike Ferriter, Director, Department of Corrections